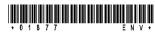


General Assembly

Raised Bill No. 306

February Session, 2014

LCO No. 1877



Referred to Committee on ENVIRONMENT

Introduced by: (ENV)

AN ACT ALLOCATING FUNDING FOR THE PROVISION OF POTABLE WATER TO CERTAIN COMMUNITIES AND REAUTHORIZING THE COMMISSIONER OF ENERGY AND ENVIRONMENTAL PROTECTION TO PROVIDE POTABLE WATER TO COMMUNITIES UNDER CERTAIN CIRCUMSTANCES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (Effective July 1, 2014) (a) For the purposes described in
- 2 subsection (b) of this section, the State Bond Commission shall have
- 3 the power from time to time to authorize the issuance of bonds of the
- 4 state in one or more series and in principal amounts not exceeding in
- 5 the aggregate two million dollars.
- 6 (b) The proceeds of the sale of said bonds, to the extent of the
- 7 amount stated in subsection (a) of this section, shall be used by the
- 8 Department of Energy and Environmental Protection for the purpose
- 9 of funding a new water main in the Lyman Drive area of Torrington in
- order to provide residents of said area with potable drinking water.
- 11 (c) All provisions of section 3-20 of the general statutes, or the 12 exercise of any right or power granted thereby, which are not

LCO No. 1877 **1** of 4

13 inconsistent with the provisions of this section are hereby adopted and 14 shall apply to all bonds authorized by the State Bond Commission 15 pursuant to this section, and temporary notes in anticipation of the 16 money to be derived from the sale of any such bonds so authorized 17 may be issued in accordance with said section 3-20 and from time to 18 time renewed. Such bonds shall mature at such time or times not 19 exceeding twenty years from their respective dates as may be provided 20 in or pursuant to the resolution or resolutions of the State Bond 21 Commission authorizing such bonds. None of said bonds shall be 22 authorized except upon a finding by the State Bond Commission that 23 there has been filed with it a request for such authorization which is 24 signed by or on behalf of the Secretary of the Office of Policy and 25 Management and states such terms and conditions as said commission, 26 in its discretion, may require. Said bonds issued pursuant to this 27 section shall be general obligations of the state and the full faith and 28 credit of the state of Connecticut are pledged for the payment of the 29 principal of and interest on said bonds as the same become due, and 30 accordingly and as part of the contract of the state with the holders of 31 said bonds, appropriation of all amounts necessary for punctual 32 payment of such principal and interest is hereby made, and the State 33 Treasurer shall pay such principal and interest as the same become 34 due.

Sec. 2. Subdivision (1) of subsection (a) of section 22a-471 of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

35

36

37

38

39

40

41

42

43

44

45

(a) (1) If the Commissioner of Energy and Environmental Protection determines that pollution of the groundwaters has occurred or can reasonably be expected to occur and the Commissioner of Public Health determines that the extent of pollution creates or can reasonably be expected to create an unacceptable risk of injury to the health or safety of persons using such groundwaters as a public or private source of water for drinking or other personal or domestic uses, the Commissioner of Energy and Environmental Protection shall,

LCO No. 1877 **2** of 4

within available appropriations, arrange for the short-term provision of potable drinking water to those residential buildings and elementary and secondary schools affected by such pollution until either said commissioner issues an order pursuant to this section requiring the provision of such short-term supply and the recipient complies with such order or a long-term supply of potable drinking water has been provided, whichever is earlier. The commissioner may issue an order to the person or municipality responsible for such pollution requiring that potable drinking water be provided to all persons affected by such pollution. In determining if pollution creates an unacceptable risk of injury, the Commissioner of Public Health shall balance all relevant and substantive facts and inferences and shall not be limited to a consideration of available statistical analysis but shall consider all of the evidence presented and any factor related to human health risks. If the Commissioner of Energy and Environmental Protection finds that more than one person or municipality is responsible for such pollution, the commissioner shall attempt to apportion responsibility if the commissioner determines that apportionment is appropriate. If the commissioner does not apportion responsibility, all persons and municipalities responsible for the pollution of the groundwaters shall be jointly and severally responsible for the providing of potable drinking water to persons affected by such pollution. If the commissioner determines that the state or an agency or department of the state is responsible in whole or in part for the pollution of the groundwaters, such agency or department shall prepare or arrange for the preparation of an engineering report and shall provide or arrange for the provision of a long-term potable drinking water supply. If the commissioner is unable to determine the person or municipality responsible or if the commissioner determines that the responsible persons have no assets other than land, buildings, business machinery or livestock and are unable to secure a loan at a reasonable rate of interest to provide potable drinking water, the commissioner may prepare or arrange for the preparation of an engineering report and provide or arrange for

46

47

48

49 50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

LCO No. 1877 3 of 4

the provision of a long-term potable drinking water supply or the commissioner may issue an order to the municipality wherein groundwaters unusable for potable drinking water are located requiring that short-term provision of potable drinking water be made to those existing residential buildings and elementary and secondary schools affected by such pollution and that long-term provision of potable drinking water be made to all persons affected by such pollution. For purposes of this section, "residential building" means any house, apartment, trailer, mobile manufactured home or other structure occupied by individuals as a dwelling, except a non-owner-occupied hotel or motel or a correctional institution.

This act shall take effect as follows and shall amend the following sections:		
Sections.		
Section 1	July 1, 2014	New section
Sec. 2	July 1, 2014	22a-471(a)(1)

## Statement of Purpose:

To authorize the issuance of bonds for the purpose of installing a new water main in a Superfund affected area of Torrington in order provide citizens in that area with potable drinking water and to reinstitute the authority of the Commissioner of Energy and Environmental Protection to provide potable drinking water to citizens under certain conditions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

LCO No. 1877 **4** of 4